
**REQUEST TO MODIFY CONDITIONS OF BZA-1591
EDWARD J. AND CAROL A. PURDY
A request to modify a special exception
approved December 5, 2001**

**STAFF REPORT
April 20, 2006**

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Staff Report
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REQUEST MADE, PROPOSED USE, LOCATION:

The 180 acres involved in BZA-1591, received a special exception to allow mining and quarrying of nonmetallic mineral (SIC 14) operating during daylight hours only, seven days a week, for a period of 20 years beginning May 2002 and ending May 2022, with an additional 18 months for reclamation. Petitioners, who are also the property owners, represented by Daniel Teder, attorney, are “requesting that all exhibits and statements made in BZA-1591 be modified to reflect [a] temporary change in the location of the 100’ setback line, fencing and 20’ type C bufferyard...”. The site is located at the southeast corner of CR 150 E and CR 510 S, Wea (E1/2) 22-4.

STAFF COMMENTS:

Of the six conditions and one commitment required by the ABZA when this special exception was heard and approved in 2001, this current request only involves modifying the first condition. That condition required:

A revised site plan, following the disposition of BZA-1593 which shows all required parking spaces, fencing, buffering and setbacks and which has the formerly proposed concrete batch plant operation removed.

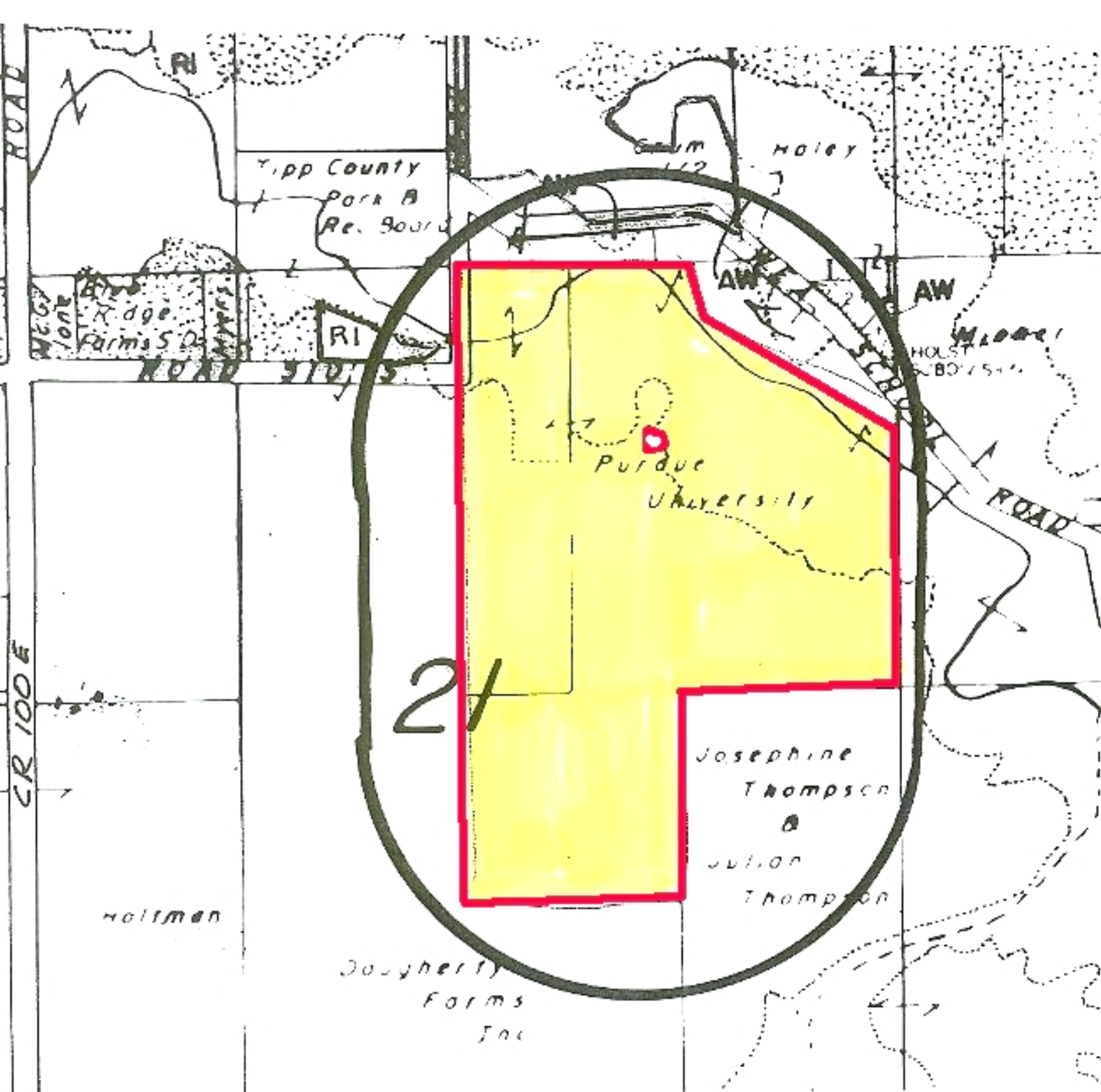
Variance requests (BZA-1593), approved at the same time as the special exception, eliminated the requirement for 6’ high security fencing, a Type C bufferyard, and a 100’ setback along the south and a portion of the western property line. (The adjacent property directly impacted by these variances was and remains a gravel operation.) Exhibit B2 attached (a.k.a. sheet number C101B) shows the locations of the required 100’ setback, fencing, and bufferyard.

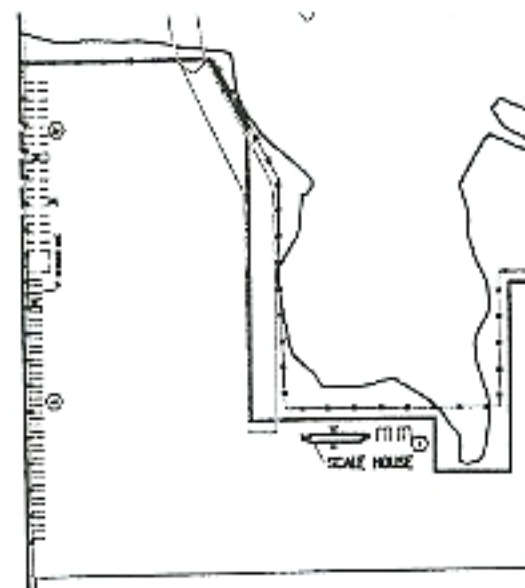
Petitioners are planning to complete the mining of this acreage in phases, as shown on the exhibits. What petitioners would like to be allowed to do, is modify the BZA-1591 approved, revised site plan by moving the 100’ setback, fencing, and 20’ Type C bufferyard to the easternmost edge of “Mining Phase I” as shown on Exhibit B1 (sheet number C101A). This would, however, only be a temporary move. Before mining in “Phase II” begins, petitioners would remove the relocated fencing and bufferyard and install it as originally approved in 2001 and as shown on attached Exhibit B2, with the required 100’ setback in place.

Approval of this “request for modification” would allow the requested change in the approved site plan from BZA-1591, showing the required fencing, buffer, and setback temporarily relocated 1500 feet to the west from what was originally approved. BZA-1714, also on the April agenda, would allow the fencing, buffer and 100’ setback be relocated a second time, back to the original special exception-approved, southeastern property lines.

STAFF RECOMMENDATION:

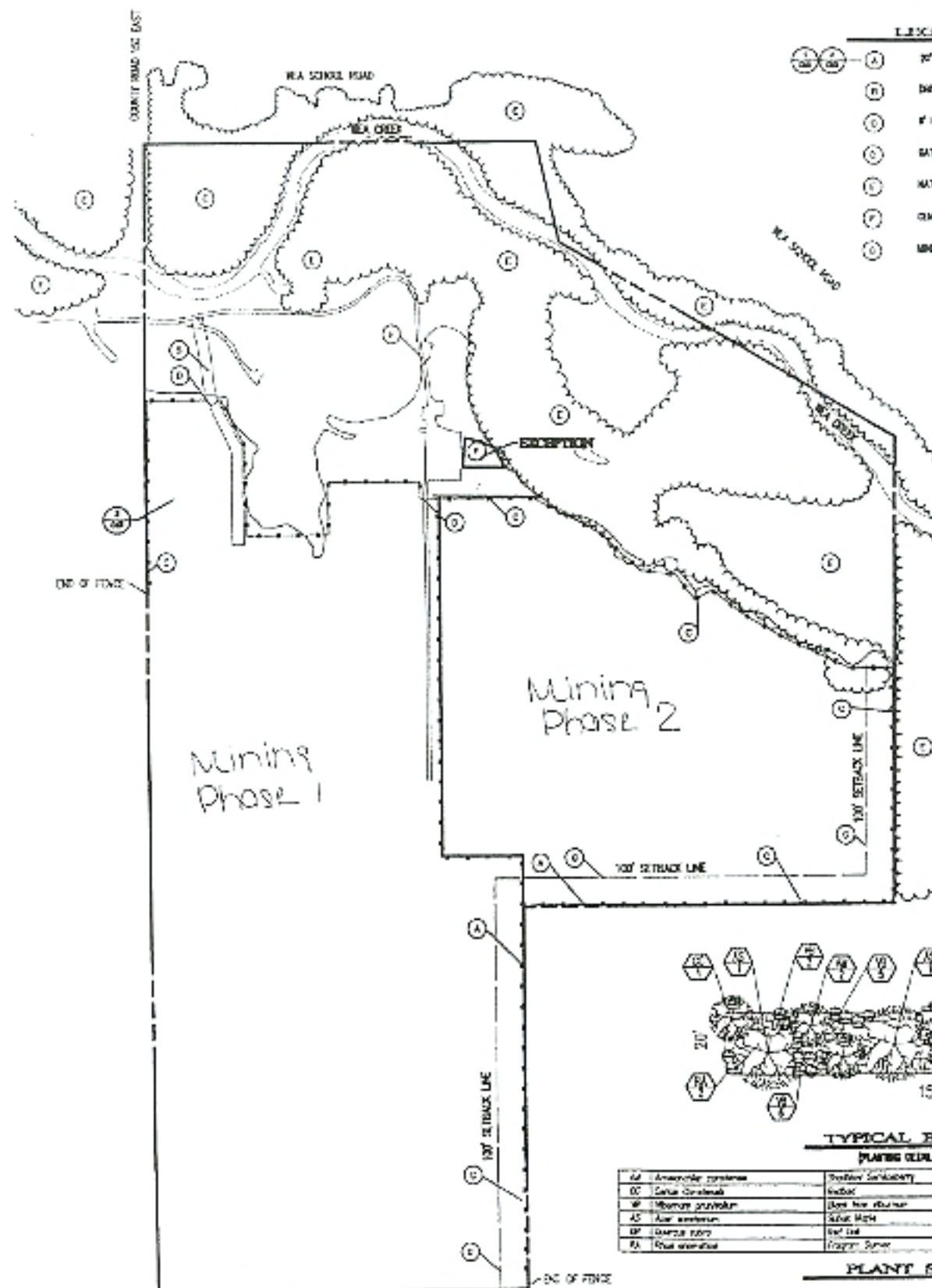
Approval





ENTRANCE/PARKING DETAIL

EXHIBIT
B2



- LEGEND
- 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



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TYPICAL BUFFERYARD
PLANTING DENS. PER SQ. (AREA, FEET)

Plant	Species	4'	5'	6'
12	Amorpha canescens	1	1	1
13	Ceanothus	1	1	1
14	Hamamelis virginica	1	1	1
15	Quercus	1	1	1
16	Salix	1	1	1
17	Thuja	1	1	1
18	Yucca	1	1	1

PLANT SCHEDULE

PURDY MATERIALS, INC.
SOUTHWEST OPERATIONS
SPEECHES CENTER, TEXAS
PURDY MATERIALS, INC.

DATE: 1/11/04
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SITE LAYOUT
PLAN
C101B

91B